

HOUSE BILL REPORT

EHB 2254

As Passed House:
March 15, 2005

Title: An act relating to peer review committees and coordinated quality improvement programs.

Brief Description: Clarifying protections provided to quality improvement activities.

Sponsors: By Representative Cody.

Brief History:

Committee Activity:

Health Care: 2/28/05, 3/1/05 [DP].

Floor Activity:

Passed House: 3/15/05, 96-0.

Brief Summary of Engrossed Bill

- Prohibits the review or disclosure of information and documents created for quality improved and peer review committees.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass. Signed by 9 members: Representatives Cody, Chair; Campbell, Vice Chair; Morrell, Vice Chair; Appleton, Clibborn, Green, Lantz, Moeller and Schual-Berke.

Minority Report: Do not pass. Signed by 6 members: Representatives Bailey, Ranking Minority Member; Curtis, Assistant Ranking Minority Member; Alexander, Condotta, Hinkle and Skinner.

Staff: Chris Blake (786-7392).

Background:

Hospitals must maintain quality improvement committees to improve the quality of health care services and prevent medical malpractice. Quality improvement proceedings review medical staff privileges and employee competency, collect information related to negative health care outcomes, and conduct safety improvement activities. Provider groups and medical facilities other than hospitals are encouraged to conduct similar activities.

With some limited exceptions, information and documents created for or collected and maintained by a quality improvement committee are not subject to discovery, not admissible

into evidence in any civil action, and are confidential and not subject to public disclosure. A person participating in a meeting of the committee or in the creation or collection of information for the committee may not testify in any civil action regarding the content of the committee proceedings or information created or collected by the committee.

A provision of law immunizes a health care provider who, in good faith, files charges or presents evidence against another provider before a regularly constituted review committee or board of a professional society or hospital on grounds of incompetency or misconduct. The proceedings and records of a review committee or board are not discoverable except in actions relating to the recommendation of the review committee or board involving restriction or revocation of the provider's privileges.

Summary of Engrossed Bill:

The review or disclosure of information and documents specifically created for, and collected and maintained by, quality improvement and peer review committees is prohibited unless there is a specific exception.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This is a placeholder for discussions related to the application of protections for quality improvement and peer review programs.

Testimony Against: None.

Persons Testifying: Larry Shannon, Washington State Trial Lawyers Association; and Lisa Thatcher, Washington State Hospital Association.

Persons Signed In To Testify But Not Testifying: None.